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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/606,683	06/30/2000	Jan-Dieter Spalink	FOV0002-US	8443
26108	7590	01/28/2004		
DANIELS DANIELS & VERDONIK, P.A. SUITE 200 GENERATION PLAZA 1822 N.C. HIGHWAY 54 EAST DURHAM, NC 27713			EXAMINER EL CHANTI, HUSSEIN A	
			ART UNIT 2157	PAPER NUMBER 13
DATE MAILED: 01/28/2004				

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

Application No.

09/606,683

Applicant(s)

SPALINK ET AL.

Examiner

Hussein A El-chanti

Art Unit

2157

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 21 November 2003.
- 2a) ☒ This action is **FINAL**.                      2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-3 and 7-11 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-3 and 7-11 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 21 November 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. §§ 119 and 120

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) ☐ All   b) ☐ Some \* c) ☐ None of:  
1. ☐ Certified copies of the priority documents have been received.  
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).  
\* See the attached detailed Office action for a list of the certified copies not received.
- 13) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application) since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.  
a) ☐ The translation of the foreign language provisional application has been received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

### Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)                      4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)                      5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) \_\_\_\_\_                      6) ☐ Other: \_\_\_\_\_

### **DETAILED ACTION**

1. This action is responsive to amendment received on Nov. 21, 2003. Claims 1, 3, 7, 8 and 11 were amended. Claims 4-6 and 12-14 were canceled. Claims 1-3 and 7-11 are pending examination.

#### ***Drawings***

2. The drawings were received on Nov. 21, 2003. These drawings are accepted.

#### ***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. Claims 8 and 11 are rejected under 35 U.S.C. 102(e) as being anticipated by Tange, U.S. Patent No. 6,483,525.

As to claim 8, Tange teaches a system for classifying information available on a computer network, the system including:

a resource generator component that creates a list of network resource locators (see col. 4 lines 59-col. 5 lines 2);

a datastore component for storing the classification information for a plurality of network resource locators (see col. 2 lines 25-35);

a GUI component having tools to select the classification for each resource (see col. 2 lines 36-45);

a classification processor component that receives the list of network resource locators, causes presentation of said network resource locators using GUI, and receives classification, and stores the classification in said data store component (see col. 2 lines 36-55).

As to claim 11, Tange teaches the system of claim 8 wherein said tools include a hierarchical taxonomy of classifications and said selection represents one of said classifications (see col. 2 lines 36-45 and Fig. 14 shows a hierarchical taxonomy of classifications embedded in the browser).

### ***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 1-3 and 7 are rejected under 35 U.S.C. 103(a) as being unpatentable over Tange in view of Chakrabarti et al., U.S. Patent No. 6,356,899 (referred to hereafter as Chakrabarti).

As to claim 1, Tange teaches a method for classifying information available on a computer network, the method including:

receiving a list of network resource locators (see col. 4 lines 59-col. 5 lines 2);  
for each network resource locator of the created list,

sending the network resource locator to a GUI of a web-coding workstation (see col. 2 lines 36-55);

receiving a selection from the web-coding workstation representing a classification for the resource (see col. 2 lines 36-55);

storing the classification of said resource locator (see col. 2 lines 25-35).

Tange does not explicitly teach the limitation "storing the classification in a database". However Chakrabarti teaches a database for storing classification of web pages (see col. 5 lines 56-col. 6 lines 10).

It would have been obvious for one of the ordinary skill in the art at the time of the invention to modify Tange by incorporating a database to store the selected classification of a network resource as taught by Chakrabarti because doing so would allow the user to easily retrieve the classification of URL using a database search.

As to claim 2, Tange teaches the method of claim 1 wherein the list of network resource locators includes one or more web sites (see col. 4 lines 59-col. 5 lines 2).

As to claim 3, Tange teaches the method of claim 1 wherein said tools include a hierarchical taxonomy of classifications and said selection represents one of said classifications (see col. 2 lines 36-45 and Fig. 14 shows a hierarchical taxonomy of classifications embedded in the browser).

As to claim 7, Chakrabarti teaches the method of claim 1 wherein the database is one or more from the group consisting of:

a flat file; a binary tree; a relational database; and an object oriented database (see col. 5 lines 56-col. 6 lines 10).

5. Claims 9 and 10 are rejected under 35 U.S.C. 103(a) as being unpatentable over Tange in view of Peercy et al., U.S. Patent No. 5,960,429.

Tange teaches a system for classifying information available on a computer network, the system including a resource generator component that creates a list of network resource locators , a datastore component for storing the classification information for a plurality of network resource locators , a GUI component having tools to select the classification for each resource and a classification processor component that receives the list of network resource locators, causes presentation of said network resource locators using GUI, and receives classification, and stores the classification in said data store component (see the rejection of claim 8).

However Peercy et al teach the resource generator component creates the list of network resource locators (see col. 4lines 30-47 and fig. 2) and sorted by the number of unique users visiting the network resource locator (see col. 4lines 30-47 and fig. 2).

It would have been obvious for one of the ordinary skill in the art at the time of the invention to modify Tange by incorporating the step of generating a list of network resource locator as taught by Peercy because doing so would allow the user to categorize the lists of websites that are most frequently visited by users and that represent the area of interest of these unique users.

6. Applicant's arguments with respect to the pending claims have been considered but are moot in view of the new grounds of rejection.

7. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP

§ 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.


8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Hussein A El-chanti whose telephone number is (703)305-4652. The examiner can normally be reached on Mon-Fri 8:30-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ario Etienne can be reached on (703)308-7562. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703)305-3900.

Hussein El-chanti

Jan. 16, 2004

  
ARIO ETIENNE  
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